

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PENDING APPLICATION

Docket Number
050760

SEP 26 2008



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **WATANABE, Takayuki, et al.**

Group Art Unit: 1794

Serial No.: 10/557,205

P.T.O. Confirmation No.: 5532

For: **ALIPHATIC POLYESTER BASED RESIN REFLECTION FILM AND
REFLECTION PLATE**

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 26, 2008

Sir:

The undersigned, Donald W. Hanson, is attorney of record in the above-identified patent application. The terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted on pending second Application No. 10/577,276, filed on April 25, 2006, is hereby disclaimed except as provided below. It is agreed that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

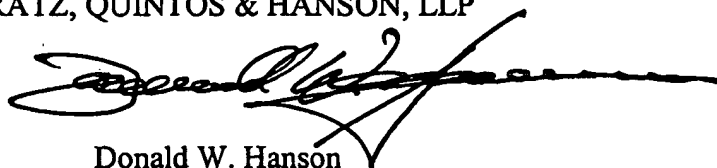
Serial No.: 10/557,205
Terminal Disclaimer
Filed on September 26, 2008

This disclaimer is submitted on behalf of Mitsubishi Plastics, Inc., a Japanese company, on whose behalf the undersigned is empowered to act, which owns the entire and exclusive right, title and interest to the invention entitled Aliphatic Polyester Based Resin Reflection Film and Reflection Plate, for which the above-identified patent application was filed on November 17, 2005, Serial No. 10/557,205, and all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted, by virtue of an assignment from the inventors of the above-identified patent application. The assignment was recorded in the Patent and Trademark Office at Reel (017997), Frame (0203), or a copy thereof is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP



Donald W. Hanson
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PATENT & TRADEMARK OFFICE

XX Please charge Terminal disclaimer fee under 37 CFR 1.20(d)
in the amount of \$130.00 to Dep. Acct. 01-2340.
PTO suggested wording for terminal disclaimer was
XX unchanged. changed (as described in attached explanation).



PTO/SB/26 (12-08)

Approved for use through 01/31/2009. OMB 0651-0031
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT APPLICATION**Docket Number (Optional)
20570/0204328-USO

In re Application of: Takayuki Watanabe

Application No.: 10/577,276-Conf. #2868

Filed: April 25, 2006

For: REFLECTIVE FILM

The owner*, MITSUBISHI PLASTICS, INC. , of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** application Serial No. 12/007,748 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 47,522

Signature

August 12, 2009

Date

Louis J. DelJuidice

Typed or printed name

(212) 527-7700

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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